

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:19-CR-00017-RJC-WCM

USA )  
 )  
v. ) ORDER  
 )  
JOSEPH F. WISEMAN JR. )  
 )

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**THIS MATTER** is before the Court upon motion of the defendant for compassionate release based on his medical conditions and the COVID-19 pandemic under 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act of 2018, (Doc. No. 55), the government's supplemental response, (Doc. No. 58), and related pleadings.

Section 603(b) of the First Step Act amended § 3582(c)(1)(A), which previously only allowed a court to reduce a term of imprisonment on motion of the Director of the Bureau of Prisons (BOP). Now a court may entertain a motion filed by a defendant: (1) after full exhaustion of all administrative rights to appeal a failure of the BOP to bring a motion on the inmate's behalf; or (2) after the lapse of 30 days from the receipt of such a request by the warden of the facility, whichever is earlier.

On June 5, 2020, the warden of the defendant's institution approved transfer to home confinement. (Doc. No. 58-1: Storus Aff. ¶ 8). The BOP's website shows that the defendant's home confinement is being supervised by the Residential Reentry Management field office in Atlanta, Georgia.

**IT IS, THEREFORE, ORDERED** that the defendant's motion for compassionate release, (Doc. No. 55), is **DISMISSED as moot**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: March 4, 2021

  
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Robert J. Conrad, Jr.  
United States District Judge